

**REMARKS**

Upon entry of the foregoing amendments, claims 23-30, as allowed in the Notice of Allowance of May 2, 2006, remain pending.

The foregoing amendments were made necessary by the Applicant's assignee's discovery of simple mistakes in the nucleotide sequence listing of SEQ ID NO:2, which necessitated a revision also of the amino acid sequence listing of SEQ ID NO:1. The amino acid sequence has been corrected at page 11 of the application (where the comparison by double bracketing and underlining made by the undersigned attorney is to the amino acid sequence previously amended in the Amendment After First Allowance). The amino acid sequence listing of SEQ ID NO:1 and the nucleotide sequence listing of SEQ ID NO:2 have also been amended in the replacement amended paper and computer readable format (CRF) sequence listings submitted herewith.

The amino acid and nucleotide sequence listings have been amended in the comparative sequence listings of SEQ ID NOs:1 and 2, respectively, as attached to the accompanying Declaration of Hiroyuki Asako Regarding Second Replacement Sequence Listings (the "Asako Declaration"). These comparative sequence listings compare the amended sequences to the original sequences, rather than to the sequences as amended in the Amendment After First Allowance. Hiroyuki Asako is a scientist of assignee Sumitomo Chemical Co., Ltd. who was assigned to review the sequence listings following the receipt of the Notice of Allowance of May 2, 2006 and who noticed that both the original and the previously corrected sequence listings still contained the errors explained in paragraph 3 of the Asako Declaration. A Verified Statement that the paper and CRF sequence listings are the same and that no new matter has been added also accompanies this Amendment.

Please note that although paragraph 4 of the Asako Declaration refers to an attached copy of a ClustalW Formatted Alignments printout, this attachment is not included, as it is not considered necessary in view of the comparison copies of the two sequence listings that are attached to the Asako Declaration. Please also note that the reference to the "nine" mistakes in paragraph 4 of the Asako Declaration is correct, even though eleven entries are made in paragraph 3, since two of the entries in paragraph 3 confirm nucleotides from the original DNA sequence.

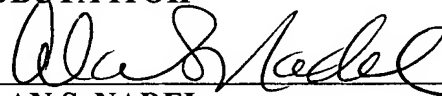
The Asako Declaration explains how the mistakes occurred, and specifically points out the amendments to each of SEQ ID NOs:1 and 2. As noted in paragraph 6 of the Asako Declaration, since the DNA of SEQ ID NO:2 is from the same *Leifsonia* sp. S-749 (Accession No. of International Depository Authority: FERM BP-8291) and is the original gene of plasmid ptrTFAR as set forth in the application, no new matter has been added by correcting the nucleotide sequence of the DNA in SEQ ID NO:2. The same reasoning applies to the amino acid sequence listing of SEQ ID NO:1, as noted in paragraph 7 of the Asako Declaration.

Entry of the foregoing amendments is respectfully solicited.

If any issues remain, the Examiner is invited to contact the undersigned attorney by telephone to discuss this matter. Yet another Notice of Allowance is respectfully requested.

Respectfully submitted,

**NOBUYA ITOH**

August 1, 2006 By:   
(Date)

**ALAN S. NADEL**

Registration No. 27,363

**AKIN GUMP STRAUSS HAUER & FELD LLP**

One Commerce Square

2005 Market Street, Suite 2200

Philadelphia, PA 19103-7013

Telephone: 215-965-1200

**Direct Dial: 215-965-1280**

Facsimile: 215-965-1210

E-Mail: [anadel@akingump.com](mailto:anadel@akingump.com)

ASN:hg

Attachments: Paper Sequence Listing (pages i-x)

Enclosures: Request for Continued Examination

Declaration of Hiroyuki Asako Regarding Second Replacement Sequence Listings, with 2 attachments;

Computer Readable Format (Diskette) Sequence Listing; and

Verified Statement.